

CHAPTER 68 CONSERVATION EDUCATION

281—68.1(256) Purpose. The purpose of these rules is to define procedures for the administration of the cost sharing funds within the conservation education program board account for production and revision of conservation education materials and to specify stipends to Iowa educators who participate in innovative conservation education programs approved by the board. The conservation education program shall serve Iowa citizens by providing effective curriculum, program materials and educator stipends to increase environmental awareness, enhance understanding of environmental problems, and promote the resolution of environmental issues. Expenditure of funds from the conservation education program board account shall be in accordance with this policy.

281—68.2(256) Conservation education program policy. The conservation education program board shall constitute a long-term integrated effort to support funding of conservation education materials and to provide stipends to Iowa educators who participate in innovative conservation education programs.

281—68.3(256) Conservation education board. A conservation education program board is created in the department. The board shall have three members appointed as follows:

1. One member appointed by the director of the department of education.
2. One member appointed by the director of the department of natural resources.
3. One member appointed by the president of the Iowa association of county conservation boards.

281—68.4(256) Definitions.

“Board” means conservation education program board.

“Conservation education programs” means programs developed for formal (K-12 students), informal (preschool, adult and continuing education) and higher education (postsecondary and adult) programs, developed with consideration of, but not limited to, environmental education priorities established at the Governor’s Environmental Education Conference January 12 and 13, 1990. The “Governor’s Environmental Education Priorities for the 90’s” is available through the Bureau of Instruction and Curriculum, Department of Education, Grimes State Office Building, Des Moines, Iowa. Also “conservation education programs” means the lifelong education process dealing with people’s relationships with each other and with their natural and altered surroundings and includes the relation of population, pollution, resource allocation and depletion, conservation, transportation, technology and planning to the total human environment.

“Department” means the department of education.

“Director” means the director of the department of education.

“Educator” is defined as any person who teaches environmental/conservation education as a result of this training or experience and as part of an occupation or volunteer service. This may apply to certified teachers, governmental or private naturalists or education specialists, or others so determined by the board.

“Environmental/conservation education materials” is defined as a holistic approach to the educational process that incorporates the principles of carrying capacity, sustainability, interdependence, diversity, change, adaptation, competition/cooperation, cycles and energy flow. Environmental/conservation education materials promote numerous skills including critical thinking, problem solving, analysis, clarification, communication, observation, measuring, listing, mapping, predicting, computing, writing, reading, estimating and applying knowledge and skills.

“Stipends for Iowa educators who participate in innovative conservation education programs” means tuition cost, acceptable food and lodging costs, substitute teacher costs, mileage expenses and stipends, when applicable for educators to attend board approved environmental/conservation education workshops, in-service programs and conferences.

281—68.5(256) Eligibility for funds. In years in which funds are made available, grant applications may be submitted by institutions of higher learning, government agencies, including local school districts, nonpublic schools, area education agencies, organizations, and individuals with an Iowa residence. Preference shall be given to Iowa applicants.

281—68.6(256) Grant applications, general procedures.

68.6(1) Applications for all grant programs shall be made on forms provided by the department of education. Five copies shall be submitted by the deadlines specified in subsequent rules of this chapter or as otherwise published by the department.

68.6(2) Applications shall be made in sufficient detail as to clearly describe the scope of the project including the following:

- a. Applicant identification (applicant's name and address).
- b. Project summary.
- c. Program goals, objectives, timelines, and who is responsible.
- d. Any documentation of assurances from community support including cooperating agencies.
- e. Project budget (administrative/indirect costs not to exceed 10 percent of total award).
- f. Project management.
- g. A plan for evaluation.

Any application which is not complete at the time of project review and scoring, or for which additional pertinent information has been requested and not received, shall not be considered for funding. Proposals not containing the specified information or not received by the specified date may not be considered. All applications shall be submitted in accordance with instructions in the requests for proposals. The proposals shall be submitted to the department.

68.6(3) Applications shall be postmarked on or before the April 1, 1990, deadline for FY90 grants, and May 15 and November 1 for subsequent fiscal years in which funds are provided. Upon arrival, the proposals will be reviewed to determine whether all required materials have been included and whether the proposal falls within the department of education's guidelines. Failure to meet these criteria will result in disqualification of the proposal.

68.6(4) Joint applications are permitted. One entity must serve as the primary applicant. Joint projects sponsored by entities competing for funds from different resource enhancement and protection (REAP) accounts, e.g., an organization or institution, area education agency, etc., are allowable. Applications must clearly spell out the respective shares of project costs to be derived from various REAP accounts if the project is approved for funding. Any cooperative agreement between joint applicants must be provided as a part of the application.

68.6(5) Similar development projects. An application for a conservation education program grant may serve more than one target population (e.g., scouting and K-6 classrooms).

281—68.7(256) Conflict of interest. If a project is submitted to the board by an agency, institution or conservation board or private conservation interests, one of whose members or employees is on the board or the review and selection committee, that individual shall not participate in discussion on or ranking of that particular project.

281—68.8(256) Criteria. Preference will be given to programs of environmental/conservation education that incorporate aesthetic appreciation, stewardship, interdependency, and valuing processes. Also, preference will be given, in formal education programs, to materials capable of being infused in multiple curriculum areas. Topic areas for environmental/conservation education may include, but are not limited to air, water, minerals, soil, energy, population dynamics, production and distribution of food and fiber products, land use, human and natural habitat, flora and fauna, community responsibility and related topics. Environmental/conservation issues may include, but are not limited to, greenhouse effect; overpopulations; drought; desertification; famine; species depletion; tropical rain forest; air, water, and solid and toxic waste pollution; resource depletion, recycling; ozone depletion and related issues.

281—68.9(256) Grantee responsibilities.

68.9(1) *Timely completion of projects.* Grants are expected to be completed in a 12-month time period; however, up to 18 months will be considered for board approval for grants difficult to accomplish in 12 months.

68.9(2) *Record keeping and retention.* Grant recipients shall keep adequate records relating to the administration of a project, particularly relating to all incurred expenses. These records shall be available for audit by representatives of the department and the state auditor's office. All records shall be retained in accordance with state laws.

68.9(3) *Quarterly and final reports.* Grantees shall provide quarterly reports that include information detailing progress toward goals and objectives, expenditures and services provided on forms provided for those reports. The report shall clearly identify the status of fundraising relevant to the approved projects and identify problems that may cause a delay in completing the project within the approved project period. Failure to submit reports by the due date shall result in suspension of financial payments to the grantee until the time that the report is received. Grants are considered active until the board notifies the grantee that the grant has been terminated or completed by the terms of the grant. At the completion of the project and prior to the final payment, a final written report shall be submitted by the grantee to the board. No new awards shall be made for continuation programs where there are delinquent reports from prior grants.

68.9(4) *Contract revisions.* The grantee shall immediately inform the board of any revisions in the project budget in excess of 10 percent of a line item. The board and the grantee may negotiate a revision to the contract to allow for expansion or modification of services but shall not increase the total amount of the grant. The board retains the authority to approve or disapprove contract revisions.

68.9(5) *Nonapplication of copyright.* Program materials developed from resource enhancement and protection funds for conservation education materials shall bear the logo of the board. However, materials developed under this grant shall not be copyrighted by the grantee unless permission is given by the board.

68.9(6) *Restrictions.* Funds allocated under this chapter shall not be used for equipment such as typewriters, computers, and hardware, or for construction, renovation or remodeling costs.

281—68.10(256) Board review and approval. The board or its designee shall review, score, and rank projects for funding and funds shall be awarded on a competitive basis. If delegated, the reviewing, scoring and ranking of projects will be presented to the board as recommendations. The board may approve or disapprove funding for any project or part thereof. Reasons for rejection of any recommended project or any part thereof shall be included in the motion to approve, modify, or reject any project.

68.10(1) Fiscal year 1990 funding. Grants approved on or before May 15, 1990, shall be permitted to continue through June 30, 1991, if requested by the grantee and approved by the board. Up to 50 percent of the grant funds requested shall be paid on or near May 15, 1990. Up to 40 percent shall be committed by the department by June 30, 1990, and the balance shall be payable at the successful completion of the grant as outlined in 281—68.9(256). FY90 grants shall be completed on or before June 30, 1991.

68.10(2) In each year following FY90 that funds are made available by the Iowa legislature, payments shall be as follows:

a. For grant periods in excess of 90 days, up to 50 percent shall be paid at the beginning of the grant period, up to 40 percent at the midpoint of the grant period and the balance at successful completion as determined by the board.

b. For grant periods of fewer than 90 days, 75 percent shall be paid at the beginning of the grant period and the balance at successful completion as determined by the board.

68.10(3) The board shall notify successful applicants and shall provide to each of them a contract for signature. This contract shall be signed by an official with authority to bind the applicant and shall be returned to the board prior to the award of any funds under this program.

281—68.11(256) Waivers of retroactivity. Normally, grant program developments completed prior to application scoring will not be approved. However, an applicant may make written request for a waiver of retroactivity to allow project elements to be considered for grant assistance. Waivers will be granted in writing by the board and receipt of a waiver does not ensure funding, but only ensures that the project will be considered for funding along with all other applications. Waiver of retroactivity provisions will be assumed to exist for any project initiated after July 1, 1989, until the first cycle of application scoring and grant allocations has been completed. For subsequent cycles, waivers must be requested and issued in writing prior to July 1, 1990.

281—68.12(256) Penalties. Whenever any property, real or personal, acquired or developed with resource enhancement and protection funds passes from the control of the grantee or is used for purposes other than the approved project purpose, it will be considered an unlawful use of the funds.

If a grantee desires to use the approved funds for a purpose other than the approved project purpose, the grantee shall seek an amendment to the project purpose by following the provisions of 68.9(5). The board shall notify the grantee of any apparent violation.

281—68.13(256) Remedy. Funds used unlawfully, without authorization, or for other than the approved project purpose shall be returned to the department within the period specified by the board or director. The remedies provided in this rule are in addition to others provided by law.

281—68.14(256) Termination for convenience. The contract may be terminated in whole or in part when both parties agree that the continuation of the project would not produce beneficial results commensurate with the future expenditure of funds. The parties shall agree upon the termination conditions, including the effective date and, in the case of partial terminations, the portion to be terminated. The grantee shall not incur new obligations for the terminated portion after the effective date and shall cancel as many outstanding obligations as possible.

281—68.15(256) Termination for cause. The contract may be terminated in whole or in part at any time before the date of completion, whenever it is determined by the board that the grantee has failed to comply substantially with the conditions of the contract. The grantee shall be notified in writing by the department of the reasons for the termination and the effective date.

The department shall administer the conservation education grants contingent upon their availability. If there is a lack of funds necessary to fulfill the fiscal responsibility of the conservation education grants, the contracts shall be terminated or renegotiated. The board may terminate or renegotiate a contract upon 30 days' notice when there is a reduction of funds by executive order. The grantee shall not incur new obligations for the terminated portion after the effective date and shall cancel as many outstanding obligations as possible.

68.15(1) Failure to initiate or complete project. Failure to initiate or complete the project in a timely manner shall be cause for termination of the project by the board. The grantee shall return unused grant funds at the time of termination.

68.15(2) Ineligibility. Whenever the board determines that a grantee is in violation of these rules, that grantee shall be ineligible for further assistance until the matter has been resolved to the satisfaction of the board.

281—68.16(256) Responsibility of grantee at termination. Within 45 days of the termination, the grantee shall supply the department with a financial statement detailing all costs up to the effective date of the termination. If the grantee expends money for other than specified budget items approved by the board, the grantee shall return moneys for unapproved expenditures.

281—68.17(256) Appeals. Appeals to the decisions on grant awards shall be filed with the director of the department. The letter of appeal shall be filed within ten working days of receipt of notice of decision and shall be based on a contention that the process was arbitrary; conducted outside of statutory authority; violated state or federal law, policy, or rule; did not provide adequate public notice or was altered without adequate public notice; or involved conflict of interest by staff or board members. The director of the department shall notify the board of the appeal. The board may submit evidence in support of its decision within ten days of notice from the director. The director shall issue a decision within a reasonable time following receipt of the appeal.

These rules are intended to implement Iowa Code Supplement sections 256.34 and 455A.19.

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